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PM-CIA SKED 12-6

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CIA BOOKLET VIOLATED LAW, HOUSE PANEL SAYS

BY ELIOT BRENNER

WASHINGTON (UPI) -- A CIA BOOKLET THAT INSTRUCTS NICARAGUAN REBELS IN GUERRILLA WARFARE BROKE A 1982 LAW THAT FORBIDS ANY U.S. AID FOR ATTEMPTS TO OVERTHROW THE SANDINISTA GOVERNMENT IN MANAGUA, THE HOUSE INTELLIGENCE COMMITTEE CONCLUDED.

THE COMMITTEE ALSO SAID WEDNESDAY THE USE OF LANGUAGE IN THE MANUAL THAT APPEARED TO SUGGEST HOW TO ASSASSINATE POLITICAL FIGURES WAS THE RESULT OF NEGLIGENCE BY THE SPY AGENCY'S MANAGERS.

IT IS THEORETICALLY POSSIBLE THAT CIA OFFICIALS COULD BE PROSECUTED FOR PRODUCING AND DISTRIBUTING THE MANUAL BUT SUCH A STEP IS HIGHLY UNLIKELY. THE COMMITTEE MADE CLEAR WHEN IT ISSUED ITS BRIEF STATEMENT THAT IT HAS ALL BUT DROPPED ITS PROBE INTO THE MATTER.

THE COMMITTEE REPORT LAID LITTLE BLAME DIRECTLY ON CIA DIRECTOR WILLIAM CASEY, BUT INDIVIDUAL PANEL MEMBERS, INCLUDING CHAIRMAN EDWARD BOLAND, D-MASS., SAID THAT AS TOP MAN CASEY SHARED SOME RESPONSIBILITY FOR THE PAMPHLET.

THEY CONCEDED, HOWEVER, THAT THE SHEER SIZE OF THE AGENCY MADE IT DIFFICULT FOR THE DIRECTOR TO KEEP TRACK OF EVERYTHING.

THE COMMITTEE SAID ITS INVESTIGATION OF THE PAMPHLET RAISED MANY OF THE CONTROVERSIAL QUESTIONS ABOUT U.S. SUPPORT FOR THE REBELS THAT HAVE BEEN DEBATED IN CONGRESS FOR MORE THAN TWO YEARS.

"THE INCIDENT OF THE MANUAL ILLUSTRATES ONCE AGAIN TO A MAJORITY OF THE COMMITTEE THAT THE CIA DID NOT HAVE ADEQUATE COMMAND AND CONTROL OF THE ENTIRE NICARAGUAN COVERT OPERATION," THE STATEMENT SAID.

THE COMMITTEE STATEMENT SAID THE BOOK WAS "WRITTEN, EDITED, DISTRIBUTED AND USED WITHOUT ADEQUATE SUPERVISION" AND THAT MOST CIA OFFICIALS "LEARNED ABOUT IT FROM NEWS ACCOUNTS."

THE PAMPHLET -- PRODUCED AS PART OF CASEY'S DECISION IN 1983 TO HELP TEACH THE "CONTRAS" PSYCHOLOGICAL WARFARE -- AT ONE POINT SUGGESTED HOW TO "NEUTRALIZE" LOCAL OFFICIALS.

CIA CRITICS ARGUED THAT THE WORD COULD BE INTERPRETED AS ADVOCATING ASSASSINATIONS, WHICH ARE AGAINST U.S. LAW. THEY ALSO COMPLAINED THAT THE BOOKLET ITSELF VIOLATED THE BOLAND AMENDMENT, WHICH EXPRESSLY FORBIDS U.S. SUPPORT FOR EFFORTS TO OVERTHROW NICARAGUA'S LEFTIST SANDINISTA GOVERNMENT.

THE BOLAND AMENDMENT WAS PASSED IN 1982 AS PART OF A COMPROMISE BILL THAT PROVIDED THE NICARAGUAN REBELS WITH U.S. AID. IT DID NOT HAVE THE EFFECT OF LAW UNTIL 1983, THE PERIOD IN WHICH THE PAMPHLET WAS WRITTEN.

THE UNITED STATES HAS BEEN PROVIDING THE CONTRAS WITH MILLIONS OF DOLLARS IN AID UNTIL \$24 MILLION APPROVED BY CONGRESS IN 1983 RAN OUT EARLIER THIS YEAR.

THE ADMINISTRATION SAYS ITS GOAL IN AIDING THE REBELS IS TO HELP THEM STOP THE FLOW OF ARMS FROM NICARAGUA TO LEFTIST GUERRILLAS IN NEIGHBORING EL SALVADOR. IT SAYS IT IS NOT SEEKING THE OVERTHROW OF THE MARXIST SANDINISTA GOVERNMENT.

BOLAND TOLD REPORTERS AFTER THE PANEL ISSUED ITS STATEMENT THAT THE BOOKLET WAS "HANDLED BADLY, UNPROFESSIONALLY. THERE WAS EXTREMELY POOR MANAGEMENT. ... IT WAS VERY DIFFICULT TO FIND THE LINES OF COMMUNICATION WITHIN THE AGENCY ITSELF."

REP. WYCHE FOWLER, D-GA., SAID CASEY "ADMITTED TO NEGLIGENCE IN MANAGEMENT AND CONTROL OF THIS DOCUMENT" AND OFFERED RECOMMENDATIONS TO AVOID REPEATING THE EMBARRASSING INCIDENT, WHICH BROKE JUST BEFORE THE NOV. 6 ELECTION.

COMMITTEE MEMBER NORMAN MINETA, D-CALIF., SAID THERE WAS A "VERY SERIOUS BREAKDOWN IN MANAGEMENT RESPONSIBILITY" AND ADDED, "IS MR. CASEY RESPONSIBLE? I WOULD SAY YES BECAUSE HE IS THE HEAD OF THE AGENCY (BUT) ... WHO GAVE FINAL APPROVAL ON GOING AHEAD ON THIS IS STILL OPEN TO QUESTION."

SEVERAL MID-LEVEL AGENCY EMPLOYEES WERE DISCIPLINED BY THE CIA OVER THE MANUAL, WRITTEN BY A CONTRACT EMPLOYEE UNDER THE PSEUDONYM JOHN KIRKPATRICK.

MINETA SAID HE THOUGHT THE EMPLOYEES WHO WERE DISCIPLINED WERE SCAPEGOATS AND THE PUNISHMENT SHOULD HAVE EXTENDED FURTHER UP THE CHAIN OF COMMAND.

UPI 12-06-84 12:13 AES

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Approved For Release 2005/12/14 : CIA-RDP86B00269R001500070007-1

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7BY JOEL BRINKLEY

7C.1984 N.Y. TIMES NEWS SERVICE

WASHINGTON - THE HOUSE INTELLIGENCE COMMITTEE CONCLUDED WEDNESDAY THAT THE CIA'S GUERRILLA WARFARE MANUAL FOR NICARAGUAN REBELS VIOLATED THE LAW BECAUSE IT ADVISED THE REBELS ON HOW TO OVERTHROW THE SANDINISTA GOVERNMENT.

BUT THE COMMITTEE, COMPLETING A TWO-MONTH INVESTIGATION OF THE MANUAL, DID NOT RECOMMEND SPECIFIC ACTIONS AGAINST CIA EMPLOYEES. THAT CONCLUSION CAUSED DISSENSION, COMMITTEE MEMBERS SAID.

"AT LEAST 7 OR 8 TIMES IN THE MANUAL, THERE IS A REFERENCE TO OVERTHROWING THE SANDINISTAS," SAID REP. EDWARD P. BOLAND, D-MASS., WHO IS THE COMMITTEE'S CHAIRMAN. "IT WAS THE OPINION OF THE VAST MAJORITY OF THE COMMITTEE THAT THERE WAS A VIOLATION OF THE BOLAND AMENDMENT."

THAT 1982 AMENDMENT FORBIDS AMERICAN PERSONNEL TO PARTICIPATE IN ANY EFFORT TO OVERTHROW THE NICARAGUAN GOVERNMENT, BUT IT CARRIES NO PENALTIES.

BOLAND ALSO SAID THE MANUAL WAS THE RESULT OF "EXTREMELY POOR MANAGEMENT." HE ADDED THAT "I JUST CAN'T UNDERSTAND WHY THIS MANUAL WASN'T READ BY SOMEONE IN HEADQUARTERS OR SOMEONE IN THE FIELD WHO WOULD HAVE REALIZED" THAT IT VIOLATED THE LAW.

A COMMITTEE STATEMENT ISSUED WEDNESDAY CALLED THE MANUAL "REPUGNANT" AND AN "EMBARRASSMENT TO THE UNITED STATES."

FOR THOSE REASONS AND OTHERS, COMMITTEE MEMBERS SAID, THERE WAS DISSENSION OVER THE DECISION NOT TO RECOMMEND DISCIPLINARY ACTIONS AGAINST SENIOR AGENCY OFFICIALS.

AFTER THE CIA'S INSPECTOR GENERAL COMPLETED HIS INVESTIGATION OF THE MANUAL LAST MONTH, HE RECOMMENDED THAT SEVERAL MID-LEVEL AGENCY OFFICERS BE REPRIMANDED. PRESIDENT REAGAN ENDORSED THAT FINDING.

ON WEDNESDAY BOLAND SAID, "I THINK THE INSPECTOR GENERAL'S REPORT WAS A FAIR ONE." BUT ONE MEMBER OF THE COMMITTEE, REP. WYCHE FOWLER JR., D-GA., SAID "THERE WERE MIXED FEELINGS ABOUT THAT" AMONG MEMBERS OF COMMITTEE.

ANOTHER COMMITTEE MEMBER, REP. NORMAN Y. MINETA, D-CALIF., SAID THE MID-LEVEL EMPLOYEES WHO WERE REPRIMANDED "WERE SCAPEGOATS." HE SAID OTHER SENIOR OFFICIALS SHOULD HAVE BEEN DISCIPLINED, TOO. HE SAID HE HAD URGED THE COMMITTEE TO TURN ITS INVESTIGATIVE REPORT OVER TO THE JUSTICE DEPARTMENT.

THE CHAIRMAN DECIDED NOT TO DO THAT, MINETA SAID, ADDING: "AND I THINK THAT IMPACTS ON OUR CREDIBILITY AS AN OVERSIGHT AGENCY. WE'RE ALLOWING THEM TO PICK AND CHOOSE WHICH LAWS THEY WANT TO OBEY."

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“WITH 18,000 EMPLOYEES; NO ONE READ THE MANUAL,” MINETA SAID; “AND NOW ANYBODY CAN READ IT AND THEY ARE WASHING THEIR HANDS OF IT.”

WILLIAM J. CASEY, DIRECTOR OF CENTRAL INTELLIGENCE, TESTIFYING BEFORE THE COMMITTEE WEDNESDAY MORNING, ACCEPTED RESPONSIBILITY FOR THE MANUAL AS THE AGENCY'S HEAD; COMMITTEE MEMBERS SAID. BOLAND SAID CASEY HAD ALSO ASSURED THE COMMITTEE THAT HE WOULD ORDER SEVERAL MANAGERIAL CHANGES TO AVOID SUCH PROBLEMS IN THE FUTURE.

THE COMMITTEE'S STATEMENT SAID: “THE ENTIRE PUBLICATION AND DISTRIBUTION OF THE MANUAL WAS MARKED WITHIN THE AGENCY BY CONFUSION ABOUT WHO HAD AUTHORITY AND RESPONSIBILITY FOR THE MANUAL.” IT ADDED THAT “MOST CIA OFFICIALS LEARNED ABOUT IT FROM NEWS ACCOUNTS” IN OCTOBER.

THE MANUAL WAS FIRST MADE PUBLIC IN MID-OCTOBER; AND IT CAUSED A STORM OF PROTEST FROM CONGRESS AND ELSEWHERE. IT WAS PREPARED BY A CIA CONTRACT EMPLOYEE IN HONDURAS AND WAS THE RESULT OF A SUGGESTION FROM CASEY AND OTHER AGENCY OFFICIALS LAST SPRING THAT THE NICARAGUAN REBELS NEEDED INSTRUCTION IN GUERRILLA WARFARE; BOLAND SAID WEDNESDAY.

THE MANUAL ADVISED THE REBELS TO KIDNAP NICARAGUAN GOVERNMENT OFFICIALS. IT SUGGESTED HIRING CRIMINALS WHO WOULD ARRANGE THE KILLING OF FELLOW REBELS SO THEY WOULD BECOME MARTYRS. IT SAID ORDINARY NICARAGUAN CITIZENS SHOULD BE BLACKMAILED SO THEY WOULD BE FORCED TO JOIN THE REBEL CAUSE. AND; IN A SECTION ENTITLED “SELECTIVE USE OF VIOLENCE,” THE MANUAL ADVISED THE REBELS TO “NEUTRALIZE SELECTED GOVERNMENT OFFICIALS,” A PHRASE INTERPRETED BY REBEL LEADERS AND OTHERS TO MEAN ASSASSINATE.

AT FIRST; REAGAN SAID ANY CIA OFFICER FOUND TO BE RESPONSIBLE FOR THE MANUAL WOULD BE DISCHARGED. BUT AFTER READING THE CIA INSPECTOR GENERAL'S REPORT; HE CONCLUDED THAT THE MANUAL WAS “MUCH ADD ABOUT NOTHING.”

THE CIA OFFERED NO COMMENT WEDNESDAY.

ALTHOUGH THE COMMITTEE HAS COMPLETED ITS INQUIRY ON THE MANUAL; BOLAND SAID IT WOULD CONTINUE A RELATED INVESTIGATION; TO SEE WHETHER THE CIA VIOLATED ITS SPENDING LIMITS FOR THE NICARAGUAN OPERATION.

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